

**District of Columbia
Court of Appeals**

Nos. 04-CF-1139 and 06-CO-1040

ANDRE OTTS,
Appellant,
FEL7686-03

v.

UNITED STATES,
Appellee.

BEFORE: Washington, Chief Judge; Farrell, Ruiz, *Reid, Glickman, Kramer, **Fisher,
*Blackburne-Rigsby, and Thompson, Associate Judges; *King, Senior Judge.

O R D E R
(Filed April 24, 2008)

On consideration of appellant's petition for rehearing or rehearing en banc, it is

ORDERED by the merits division* that the petition for rehearing is granted as set forth in the amended opinion filed April 24, 2008, and that this court's opinion filed on September 13, 2007, is hereby vacated. It is

FURTHER ORDERED that the petition for rehearing en banc is denied as moot, without prejudice to the filing of a petition for rehearing en banc directed to the amended opinion issued on April 24, 2008.

PER CURIAM

**Associate Judge Fisher has recused himself from these cases.